

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esq.
KML LAW GROUP, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
PNC BANK, NATIONAL ASSOCIATION

In Re:

Kimberly A. Malmgren
Debtor
Theodore H. Malmgren
Co-Debtor



Order Filed on May 22, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 21-10907 MBK

Hearing Date:

Judge: Michael B. Kaplan

Chapter: 13

Recommend Local Form



Followed



Modified

**ORDER GRANTING MOTION FOR RELIEF FROM STAY & CO-
DEBTOR STAY**

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: May 22, 2024

Honorable Michael B. Kaplan
United States Bankruptcy Judge

Upon the motion of PNC BANK, NATIONAL ASSOCIATION, under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the motion is granted and the stay is terminated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as Lot 8.01, Block 139, 22 Wolfhill Avenue,
Oceanport NJ 07757**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the movant shall be permitted to reasonably communicate with Debtor(s) and Debtor(s)' counsel to the extent necessary to comply with applicable non-bankruptcy law.

It is further ORDERED that the Trustee is directed to cease in making any further distributions to the Creditor.

It is further ORDERED that the Co-Debtor Stay be vacated.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 11/14/2023

In re:
Kimberly A. Malmgren
Debtor

Case No. 21-10907-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: May 22, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 24, 2024:

Recip ID	Recipient Name and Address
db	+ Kimberly A. Malmgren, 22 Wolf Hill Ave., Oceanport, NJ 07757-1039

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 24, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 22, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor NATIONSTAR MORTGAGE LLC ajennings@raslg.com
Aleisha Candace Jennings	on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER ajennings@raslg.com
Denise E. Carlon	on behalf of Creditor COMMUNITY LOAN SERVICING LLC dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

District/off: 0312-3

User: admin

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Date Rcvd: May 22, 2024

Form ID: pdf903

Total Noticed: 1

Denise E. Carlon

on behalf of Creditor NATIONSTAR MORTGAGE LLC dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com

Jonathan Goldsmith Cohen

on behalf of Debtor Kimberly A. Malmgren imclawgroupecf@gmail.com:g.jr77824@notify.bestcase.com

Phillip Andrew Raymond

on behalf of Creditor COMMUNITY LOAN SERVICING LLC phillip.raymond@mccalla.com mccallaecf@ecf.courtdrive.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10